

Appl. No. 09/880,701

Amtd. Dated September 14, 2005

Reply to Office Action of July 18, 2005

### REMARKS

This is a full and timely response to the final Office action mailed July 18, 2005. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Upon entry of this amendment, Claims 1-4, 6-11, 13-18, 20-23, and 25-37 will remain pending in this application, with Claims 1, 8, 15, 23, and 26 being the independent claims. Claims 1, 8, 15, 23, 25, and 26 have been amended, and Claims 5, 12, 19, and 24 have been canceled herein. No new matter is believed to have been added.

Before proceeding to the merits of the rejections set forth in the Office action, Applicants would like to thank Examiner Parsatharathy for the complete and thorough response that was given to Applicants' previously-filed amendment.

### Rejections Under 35 U.S.C. § 103

Claims 1-37 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent Nos. 5,948,080 (Baker) and 6,477,646 (Krishna et al.). This rejection is respectfully traversed.

Each of the independent claims (i.e., Claims 1, 8, 15, 23, and 26), as amended herein, now each recite, in one form or another, that a least busy channel is determined and selected for packet processing based on an amount of buffer space available for a channel in an external memory.

Baker relates to a system and method for assigning a channel number to a received data packet according to a predetermined priority. More specifically, Baker discloses a data packet comparison circuit that receives a portion of a data packet, compares the received data packet portion to a predetermined matched set that corresponds to a DMA channel, and if a match occurs selecting the DMA channel. Although the Office action alleges that Baker discloses selecting a least busy channel at column 12, lines 59-67, this allegation is unfounded and is based on an inaccurate reading of this portion of Baker. Indeed, what Baker discloses at column 12, lines 59-67, and suggests throughout the remaining portions of the disclosure, is a DMA engine 74 that

Appl. No. 09/880,701

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includes a common state machine that is priority-time multiplexed, and that also includes arbitration logic for activating the channel based on assigned priority level.

Hence, it is clear that Baker fails to disclose, or even remotely suggest, selecting a least busy channel based on an amount of buffer space available for a channel in an external memory, which is a feature now included, in various forms, in each of the independent claims.

As regards Krishna et al. this patent relates to a cryptography accelerator architecture for implementing the IPsec standard. However, Krishna et al. also fails to disclose the feature noted above as being deficient in Baker.

In view of the foregoing, it is clear that neither Baker nor Krishna et al., either alone or in combination, disclose or even remotely suggest all of the features recited in independent Claims 1, 8, 15, 23, and 26. As such, reconsideration and withdrawal of the § 103 rejection is respectfully solicited.

#### Conclusion

Based on the above, independent Claims 1, 8, 15, 23, and 26 are patentable over the citations of record. The dependent claims are also submitted to be patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

This Amendment Pursuant to 37 C.F.R. § 1.116 is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. This amendment was not earlier presented because Applicant earnestly believed the prior amendment placed the subjection application in condition for allowance. Accordingly, entry of this amendment is respectfully requested.

Moreover, entry and consideration of this amendment are proper under 37 C.F.R. § 1.116 for added reasons. The amendment overcomes all of the rejections set forth in

Appl. No. 09/880,701

Amdt. Dated September 14, 2005

Reply to Office Action of July 18, 2005

the above-noted Office action. The amendment does not raise new issues requiring further search or consideration. Additionally, the present amendment places the application in better form for appeal, which Applicant fully intends to pursue, if necessary. Therefore, entry and consideration of the present amendment are proper under 37 C.F.R. § 1.116 and are hereby requested.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

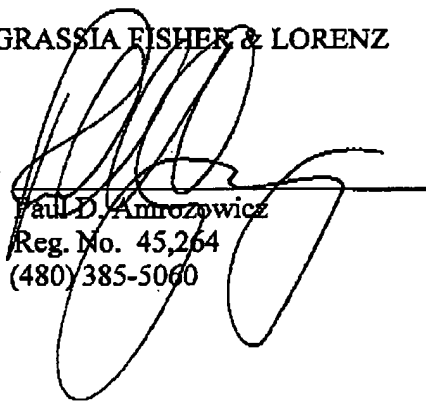
If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: September 14, 2005

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